

The Movant shall, within 10 days, file and serve an amended motion containing a notice of hearing or passive notice legend as required by Local Rule 9013-1. Counsel shall not upload another order as an "Agreed Order" unless all affected parties have approved the order.



The matter addressed in this rejected order and the accompanying motion is unresolved for the reason(s) set forth above.

SIGNED this 17 day of April, 2009.

THIS ORDER HAS BEEN ENTERED ON THE DOCKET.  
PLEASE SEE DOCKET FOR ENTRY DATE.

A handwritten signature in black ink, appearing to read "Richard Stair Jr.", is written over a horizontal line.

Richard Stair Jr.  
UNITED STATES BANKRUPTCY JUDGE

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF TENNESSEE  
NORTHERN DIVISION

IN RE:

TIMOTHY GERARD KRUSE

Debtor.

BANKR. CASE NO. 09-31002  
CHAPTER 7

**AGREED ORDER FOR RELIEF FROM AUTOMATIC STAY AS TO SOUTHEAST  
COMMUNITY CAPITAL CORPORATION**

This contested matter came before the court upon the Motion to Terminate the Automatic Stay and Abandonment of Property of the Estate pursuant to 11 U.S.C. §§ 362(d) and 554 and FED. R. BANKR. P. Rule 4001 and 9014 (the "Motion") filed by Southeast Community Capital Corporation (hereinafter "SCC"). The Court finds that there was no opposition to the Motion and, therefore, the Motion is **GRANTED**.

It is therefore ORDERED AND ADJUDGED as follows:

1. The automatic stay is terminated as to the Collateral and proceeds thereof;

2. Southeast Community Capital Corporation shall be entitled to proceed with liquidation of the Collateral and any other rights it may have as a secured creditor in the Collateral and proceeds thereof, pursuant to the Notes, Agreement and applicable state law.

3. The Collateral is abandoned from the estate;

4. This order shall be effective immediately, the provisions of Bankruptcy Rule 4001(a)(3) being waived.

**IT IS SO ORDERED.**

Approved for Entry:

BAKER, DONELSON, BEARMAN,  
CALDWELL & BERKOWITZ, P.C.

/s/ Blair B. Evans

Blair Evans (TNB#018370)

R.Spencer Clift III (No. 20445)

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